

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

L.W. et al.,)	
<i>by and through her parents and next friends,</i>)	
<i>Samantha Williams and Brian Williams,</i>)	
)	
Plaintiffs,)	NO. 3:23-cv-00376
)	JUDGE RICHARDSON
)	JUDGE NEWBERN
and)	
)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff-Intervenor)	
)	
v.)	
)	
JONATHAN SKRMETTI et al.,)	
)	
Defendants.)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADINGS AND TO
CONTINUE INITIAL CASE MANAGEMENT CONFERENCE**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6.01, and for good cause shown, Defendants respectfully move to extend their deadline for responding to the Private Plaintiffs' Complaint [1] and the Plaintiff-Intervenor's Complaint in Intervention [ECF 38-2] until 21 days following the entry of the Sixth Circuit's final ruling on Defendants' appeal of this Court's preliminary injunction order. Defendants further request that the Court continue the initial case management conference until a reasonable time after Defendants have filed their responsive pleadings. Defendants show the following in support of this Motion.

1. On June 28, 2023, the Court issued its Memorandum Opinion [ECF 167] and Order [ECF 168] partially granting Plaintiffs' Motion for Preliminary Injunction and enjoining

Defendants from enforcing certain provisions of Senate Bill 1, codified at Tenn. Code Ann. § 68-33-101, *et seq.* Defendants filed their Notice of Appeal [ECF 169] the same date.

2. On July 8, 2023, the United States Court of Appeals for the Sixth Circuit issued its Opinion and Judgment staying this Court's preliminary injunction order pending resolution of Defendants' appeal. Case No. 23-5600, ECF 44-1, 44-2. The Sixth Circuit also consolidated Defendants' appeal with an appeal recently filed by the Commonwealth of Kentucky that raises similar issues, and it set an expedited briefing schedule. *Id.*, ECF 45. The Sixth Circuit has indicated it intends to resolve Defendants' appeal by no later than September 30, 2023. *Id.*, 44-2 at 15.

3. Defendants' current deadline to respond to the complaints filed by Private Plaintiffs and Plaintiff-Intervenor is July 19, 2023. ECF 104, 123.

4. Defendants anticipate that the Sixth Circuit's final ruling on the pending appeal is likely to affect their response to the complaints filed by Private Plaintiffs and Plaintiff-Intervenor.

5. Defendants further anticipate that the overall schedule for the case may be significantly impacted by the Sixth Circuit's final ruling on the pending appeal. For example, the appropriate timing and scope of discovery, dispositive motions, and trial may be highly dependent on the Sixth Circuit's ruling.

6. Accordingly, Defendants respectfully request the Court to extend their deadline for responding to the complaints filed by Private Plaintiffs and Plaintiff-Intervenor until 21 days after the Sixth Circuit has issued its final ruling on Defendants' pending appeal.

7. Defendants further respectfully request that the initial case management conference currently set for August 10, 2023, be continued until a reasonable time after Defendants have responded to the complaints filed by Private Plaintiffs and Plaintiff-Intervenor.

8. The relief requested herein will not cause any unnecessary delay or unfairly prejudice any other party.

9. Counsel for Defendants has conferred with counsel for Private Plaintiffs and Plaintiff-Intervenor, and Private Plaintiffs and Plaintiff-Intervenor have represented that they do not oppose the relief requested.

Dated: July 11, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2023, the undersigned filed the foregoing document via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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